

MORRISON & FOERSTER LLP

Attorneys at Law
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5100
Facsimile: (858) 720-5125

To: U.S. Patent and Trademark Office
Examiner Kathleen Kerr

Facsimile: 571-273-0931

From: Carolyn A. Favorito, Reg. No. 39,183

Date: April 16, 2004

We are transmitting a total of 4 pages (including this page).
Original or hard copy to follow if this box is checked ☐.

If you do not receive all pages, please call (858) 720-7972 as soon as possible.

Preparer of this slip has confirmed that facsimile number given is correct: 6833/tn

This facsimile contains confidential information which may also be privileged. Unless you are the addressee (or authorized to receive for the addressee), you may not copy, use, or distribute it. If you have received it in error, please advise Morrison & Foerster LLP immediately by telephone or facsimile and return it promptly by mail.

Comments:

ATTORNEY DOCKET: 300622005210
GROUP ART UNIT: 1652
EXAMINER: K. Kerr
SERIAL NO.: 09/991,448
FILING DATE: November 16, 2001
INVENTOR(S): Robert MCDANIEL
TITLE: METHODS FOR INTRODUCING HYDROXYL OR EPOXIDE GROUPS
INTO POLYKETIDES USING OleP

Papers attached:

1. Transmittal (1 page)
2. Communication (2 pages)

PTO/SB/1 (08-03)

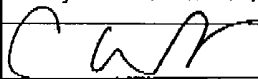
Approved for use through 07/31/2006. OMB 0651-0031

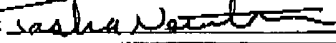
U.S. Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

<h1 style="text-align: center;">TRANSMITTAL FORM</h1> <p style="text-align: center;">(to be used for all correspondence after initial filing)</p>		Application Number	09/991,448
		Filing Date	November 16, 2001
		First Named Inventor	Robert MCDANIEL
		Art Unit	1652
		Examiner Name	K. Kerr
Total Number of Pages in This Submission	3	Attorney Docket Number	300622005210

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please identify below): Communication (2 pages)
Remarks Customer No. 25225		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	MORRISON & FOERSTER LLP Carolyn A. Favorito - 39,183
Signature	
Date	April 16, 2004

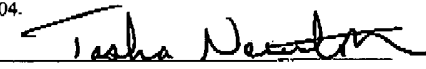
I hereby certify that this correspondence is being facsimile transmitted to: Kathleen Kerr at (571) 273-0931, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on the date shown below.	
Dated: April 16, 2004	Signature:  (Tasha Newton)

sd-194935

PATENT
Docket No. 300622005210

CERTIFICATE OF TRANSMISSION VIA FACSIMILE

I hereby certify that this correspondence is being faxed to: Kathleen Kerr at (571) 273-0931, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on April 16, 2004.


Tasha Newton

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Robert MCDANIEL

Serial No.: 09/991,448

Filing Date: November 16, 2001

For: METHODS FOR INTRODUCING
HYDROXYL OR EPOXIDE GROUPS
INTO POLYKETIDES USING OleP

Examiner: K. Kerr

Group Art Unit: 1652

COMMUNICATION

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant asserts that the present continuation-in-part application and parent U.S. Patent Application Serial No. 09/428,517, now U.S. Patent No. 6,251,636 were commonly owned at the time the claimed invention was made.

In the unlikely event that the transmittal form is separated from this document and the Patent Office determines that an extension and/or other relief (such as payment of a fee under 37 C.F.R. §1.17(p)) is required, Applicant petitions for any required relief including extensions of time and authorize the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing

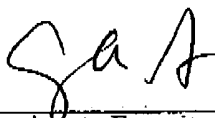
sd-194879

300622005210. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: April 16, 2004

Respectfully submitted,

By: _____



Carolyn A. Favorito
Registration No. 39,183

Morrison & Foerster LLP
3811 Valley Centre Drive
Suite 500
San Diego, California 92130-2332
Telephone: (858) 720-5195
Facsimile: (858) 720-5125